



**NEVADA COMMISSION ON ETHICS  
EXECUTIVE DIRECTOR'S REPORT AND RECOMMENDATION  
REGARDING JUST AND SUFFICIENT CAUSE**

REQUEST FOR OPINION NO. 05-57

SUBJECT: OSCAR GOODMAN, MAYOR  
CITY OF LAS VEGAS

**A. JURISDICTION:**

The subject of this complaint, Oscar Goodman is the elected Mayor of the City of Las Vegas. He is a public officer as defined by NRS 281.4365. As such, the Nevada Commission on Ethics has jurisdiction over this complaint.

**B. REPORT OF INVESTIGATIVE ACTIVITIES:**

- Reviewed Request for Opinion 05-57 (complaint) received October 3, 2005; supplement to complaint received November 18, 2005; and additional supplement to complaint received on November 23, 2005 **(TAB B)**
- Reviewed Mr. Goodman's responses received March 21, 2006 and November 6, 2006, including supplement prepared by City Attorney Brad Jerbic **(TAB C)**
- Obtained copies of 2 recordings with Clark County Records office **(TAB D)**
- Reviewed the *Legal Analysis and Opinion Relating to Inquiry into Matters Concerning the Leasing, Development, and Sale of Wastewater "Buffer Land" property, known as Royal Links Golf Course, and Request for Lift of Deed Restriction* prepared at the request of the Nevada Attorney General, George Chanos, by Senn Meulemans, LLP, relevant portions of which are attached hereto (hereinafter referred to as AG Report) **(TAB E)**
- Reviewed minutes and written testimony regarding SB 478 and the discussion regarding the intent of what was later codified as NRS 281.501(8) (definition of "commitment in private capacity") relevant portions of which are attached hereto **(TAB F)**
- Reviewed relevant Las Vegas City Council meeting agendas and minutes **(TAB G)**
- Reviewed relevant Nevada Commission on Ethics opinions **(TAB H)**

**C. RECOMMENDATION:**

Based on investigative activities, the Executive Director recommends the Panel find just and sufficient cause **DOES NOT EXIST** for the Commission to hold a hearing and render an opinion in this matter relating to the provisions of:

- NRS 281.481(2);
- NRS 281.481(5)
- NRS 281.481(6); and
- NRS 281.501

**SPECIFIC REASONS:**

No allegations or credible evidence of any fact exists that amounts to or supports a potential violation by this public officer of the above provisions of NRS Chapter 281.

**D. SUMMARY OF REQUEST FOR OPINION:**

The complaint alleges, either explicitly or implicitly, violations of NRS 281.481(2), NRS 281.481(5), NRS 281.481(6), and 281.501 by Oscar Goodman, Mayor for the City of Las Vegas. The following is the substance of the allegations:

The original complaint, filed 10/3/05, alleges that Mayor Goodman violated NRS 281 in 1999 and 2005 when he made motions and/or voted on city council items as follows:

- Regarding Billy Walters without disclosing his attorney/client relationship with Mr. Walters and two recordings from the Clark County Recorder's office;
- The 1999 sale of land to Mr. Walters for \$894,000 with deed restrictions; and
- The request by Mr. Walters to lift the deed restriction from the 1999 land sale to convert the land to residential, automatically raising the value to over \$50 million.

A supplement to complaint filed, on 11/18/05, states that Mayor Goodman made a disclosure at the 11/2/05 City Council meeting regarding his relationship with Mr. Walters due to the fact that this complaint had been filed. Additionally, it alleges that Mayor Goodman knew about possible wrongdoing by Richard Goecke, former Director of the City's Public Works Department, before voting to enrich his former client.

A second supplement to complaint, filed on 11/23/05, alleges that, prior to the 11/2/05 vote, Mayor Goodman excluded an environmental report by Ms. Lori Wohletz and again alleges that the mayor refused to make full public disclosure.

**E. SUMMARY OF SUBJECT'S RESPONSE:**

Mayor Goodman denies the allegations set forth in the complaint. The following is the substance of his response:

As a private attorney, Mayor Goodman represented Billy Walters on an indictment filed in 1990. That representation terminated on 12/31/91. He was not elected until June of 1999, therefore, he did not participate in any manner in the original 1999 sale of the land to Mr. Walters.

On 4/19/00, before voting on the agenda item to approve a sublease of some billboards located on another golf course managed by Mr. Walters, Mayor Goodman disclosed that he had a previous professional relationship with Mr. Walters that had terminated several years ago. He was advised by the City Attorney that he could participate.

On 11/2/05, Mayor Goodman again sought advice from City Attorney Brad Jerbic, he was told that, because his business relationship with Mr. Walters had terminated almost 14 years earlier, it was not necessary for him to either disclose or abstain. However, he did make a disclosure on that date.

He does not believe that he has violated NRS 281.481 when he cast his votes in 2000 and 2005. He states that he was elected to office as the mayor of all of the citizens of the City of Las Vegas and he has a duty to vote, unless it is legally impermissible. He further states that he did not use his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for Mr. Walters and he did not have a commitment in a private capacity to the interest of Mr. Walters.

City Attorney Brad Jerbic supplemented the Mayor's response by stating that, based upon a previous ruling by the local Ethics Board, he advised that, there had been no ongoing commitments between Mr. Walters or Mayor Goodman since the termination of the Mayor's representation in the early 1990's, the Mayor could participate in discussions and vote on matters pertaining to Mr. Walters.

Mayor Goodman had no knowledge about an environmental report prior to a meeting held with the city manager's office and the city attorney's office following the 7/6/05 city council meeting. It was during this meeting on or about 7/15/05 that he was informed that there were two versions of the environmental report. He immediately asked that this matter be turned over to the FBI or the Metropolitan Police Department for investigation.

## **F. RELEVANT STATUTES:**

**NRS 281.481 General requirements; exceptions.** A code of ethical standards is hereby established to govern the conduct of public officers and employees:

2. A public officer or employee shall not use his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity to the interests of that person. As used in this subsection:

(a) “Commitment in a private capacity to the interests of that person” has the meaning ascribed to “commitment in a private capacity to the interests of others” in subsection 8 of NRS 281.501.<sup>1</sup>

(b) “Unwarranted” means without justification or adequate reason.

\* \* \* \* \*

5. If a public officer or employee acquires, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, he shall not use the information to further the pecuniary interests of himself or any other person or business entity.

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6. A public officer or employee shall not suppress any governmental report or other document because it might tend to affect unfavorably his pecuniary interests.

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**NRS 281.501 Additional standards: Voting by public officers; disclosures required of public officers and employees; effect of abstention from voting on quorum; Legislators authorized to file written disclosure.**

2. Except as otherwise provided in subsection 3, in addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of, but may otherwise participate in the consideration of, a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by:

- (a) His acceptance of a gift or loan;
- (b) His pecuniary interest; or
- (c) His commitment in a private capacity to the interests of others.

↪ It must be presumed that the independence of judgment of a reasonable person would not be materially affected by his pecuniary interest or his commitment in a private capacity to the interests of others where the resulting benefit or detriment accruing to him or to the other persons whose interests to which the member is committed in a private capacity is not greater than that accruing to any other member of the general business, profession, occupation or group. The presumption set forth in this subsection does not affect the applicability of the requirements set forth in subsection 4 relating to the disclosure of the pecuniary interest or commitment in a private capacity to the interests of others.

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<sup>1</sup> NRS 281.501 (8) states: “... As used in this section, “commitment in a private capacity to the interests of others” means a commitment to a person:

- (a) Who is a member of his household;
- (b) Who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity;
- (c) Who employs him or a member of his household;
- (d) With whom he has a substantial and continuing business relationship; or
- (e) Any other commitment or relationship that is substantially similar to a commitment or relationship described in this subsection.

4. A public officer or employee shall not approve, disapprove, vote, abstain from voting or otherwise act upon any matter:

(a) Regarding which he has accepted a gift or loan;

(b) Which would reasonably be affected by his commitment in a private capacity to the interest of others; or

(c) In which he has a pecuniary interest,

→ without disclosing sufficient information concerning the gift, loan, commitment or interest to inform the public of the potential effect of the action or abstention upon the person who provided the gift or loan, upon the person to whom he has a commitment, or upon his interest. Except as otherwise provided in subsection 6, such a disclosure must be made at the time the matter is considered. If the officer or employee is a member of a body which makes decisions, he shall make the disclosure in public to the Chairman and other members of the body. If the officer or employee is not a member of such a body and holds an appointive office, he shall make the disclosure to the supervisory head of his organization or, if he holds an elective office, to the general public in the area from which he is elected. This subsection does not require a public officer to disclose any campaign contributions that the public officer reported pursuant to NRS 294A.120 or 294A.125 in a timely manner.

#### **G. RESULTS OF INVESTIGATION:**

In the late 1980's and early 1990's, the City of Las Vegas purchased property adjacent to the City of Las Vegas Water Pollution Control Facility ("WPCF"), located at 6005 East Vegas Valley Drive. The intention was to maintain this land as a "buffer zone" for the plant and to avoid litigation as a result of noxious odors.

The City of Las Vegas issued a Request for Proposal ("RFP") on 12/13/96 to solicit proposals to develop the "buffer zone" land into a municipal golf course. The RFP specifically stated that the developer would be responsible for bringing water to the site and that no soils report was available. Two candidates responded to the RFP, Bill Walters of the Walters Group and Rick Kohlman of the Evening Sun.

In the spring of 1997 problems were identified with the RFP process, specifically the fact that the soils report had been provided to one candidate and not the other. The City Attorney's office conducted an investigation of the matter and instructed staff to reissue the RFP.

On 7/14/97, the City Council approved a lease management agreement with the Walters Group for a 50-year lease of approximately 137 acres of City-owned property. The agreement was for Walters to design and build a public golf course to serve the residents of the City of Las Vegas. An additional lease was entered into on a third parcel. The lease was for 40 years as the city anticipated it would later need to expand WPCF. The city would be the owner of the completed and maintained golf course at the end of the lease term.

Over a period of approximately the next 18 months, the city and Mr. Walters entered into various agreements in which the city agreed to bring water to the site. Mr. Walters would purchase reuse water for the golf course. The city would purchase a high speed pumping system and Mr. Walters would receive water credits from WPCF for this course and two other courses that he either owned or operated.

In October 1998, Mr. Walters had the property appraised and made an unsolicited proposal to purchase the 160 acres of land upon which the Royal Links Golf Course was built. On 1/25/99, the City Council approved the sale with the condition that it contain a deed restriction prohibiting any kind of residential development then or in the future or any other development that would be inconsistent with the buffer. The city subsequently entered into a sales agreement for the price of \$894,000.

At the 4/19/00 City Council Meeting, on an unrelated agenda item that involved Mr. Walters, Mayor Goodman made a disclosure about his past professional relationship with Mr. Walters. He stated that the relationship was terminated several years earlier. He asked the City Attorney if this would be considered a conflict of interest. City Attorney Brad Jerbic responded that the now defunct City Ethics Board had previously opined “that where there’s been a professional relationship that terminated over two years ago, they have found no conflict of interest exists and, that being the case here, no conflict exists with respect with you and Mr. Walters.”

Sometime in April 2005, Mr. Walters inquired about having the deed restriction lifted so that he could develop residential housing on the property and transfer the free water credits to his other privately owned golf course. City staff began working on research and consideration of this request and ultimately, in preparation for the 7/5/05 Real Estate Committee meeting, City Attorney Brad Jerbic and Deputy City Attorney John Redlein planned briefings of council members. Mr. Redlein was assigned to brief Councilman Wolfson and Councilwoman Tarkanian. Mr. Jerbic would brief the other council members and the Mayor. During these briefings there were some inconsistencies, specifically the briefing between Mr. Redlein and Councilman Wolfson.

City staff did not provide a recommendation at the 7/5/05 Real Estate Committee meeting. Ultimately, Councilwoman Tarkanian recommended that the matter regarding the lift of the deed restriction be forwarded to the full council with no recommendation.

At the 7/6/05 City Council meeting, Mayor Goodman did not make a disclosure regarding his past attorney/client relationship with Mr. Walters. The Mayor moved to continue the item to 7/20/05 due to the fact that matters, which were of concern to him, had come to his attention which were taking place in the City of Las Vegas. Soon after the vote to continue the item, city staff received requests

from certain council members for additional information as to the appraised value of the Royal Links land and the actual impact of the odors from the WPCF upon potential future homeowners.

One of the reports requested was an environmental report from HDR Engineering/CH2MHill, which was edited at the request of Richard Goecke “to focus more on the positive accomplishments of odor control”. Once the acting City Manager, Betsy Fretwell, was made aware of this situation, she immediately notified the City Attorney’s office and a meeting was held with the Mayor. It was determined that a formal investigation would be conducted by Metro, while the City Attorney’s office would conduct a limited internal investigation.

At the 7/20/05 City council meeting, Mayor Goodman did not make a disclosure regarding his past attorney/client relationship with Mr. Walters. He moved to continue the agenda item for an additional two weeks until 8/3/05. The Mayor stated “[w]e have learned that a final report, which the City received and which was delivered to the Council, was redacted...”.

The City requested that Carollo Engineers conduct an analysis of the conclusions contained in the original CH2MHill environmental report. On 7/29/05, after reviewing this report, Lori Wohletz, the City’s Environmental Officer, sent an unsolicited e-mail to the City Manager’s office in an attempt to clarify some of the fallacies that were being reported in the media. She received no response or follow-up questions.

At the 8/3/05 City council meeting, Mayor Goodman did not make a disclosure regarding his past attorney/client relationship with Mr. Walters. He moved to table the agenda item and explained that it was in order to continue the investigation. He requested that staff follow-up on issues raised before the Council concerning the engineering reports, including, but not limited to, flood control planning and mitigation, hazardous material planning and mitigation, planned expansion planning and mitigation and odor control planning and mitigation.

An environmental expert panel was convened to assess the impact of residential development adjacent to the WPCF. The panel met during October 19-21, 2005. The ultimate product of this panel was a 10/26/06 report entitled “Evaluation of Mitigation Issues for the City of Las Vegas Water Pollution Control Facility”.

An e-mail dated 10/18/05, from Metro Undersheriff Douglas Gillespie to Betsy Fretwell, stated the following:

“the investigation is complete ref the Walters property. how do you want to handle the briefing? Who from the city should attend? In short no criminal but you need to be briefed (sic) as to what was found. Doug”

At the 11/2/05 City Council meeting, Mayor Goodman made a disclosure regarding his past attorney/client relationship with Mr. Walters. He cited this complaint as the reason he found it necessary to make such disclosure. He asked for his counsel's advice regarding such disclosure and abstention. City Attorney Brad Jerbic opined that disclosure and abstention were not necessary since Mayor Goodman had not had a relationship with Mr. Walters for several years.

## **H. CONCLUSION:**

***Allegation that Mayor Goodman violated NRS 281.481(2) in 1999 and 2005 when he (1) made motions and/or voted on city council items benefiting his former criminal defense client, William T. "Billy" Walters without disclosing his past attorney/client relationship with Walters; and (2) did not disclose two recordings filed with the Clark County Recorder on 3/16/1988 listing Goodman as a 2<sup>nd</sup> or 3<sup>rd</sup> party with Walters in "Substitution/Reconveyance," and "UCC – Terminate" documents.***

There is no evidence to support the premise that the Mayor was required to make disclosures regarding his past relationship with Mr. Walters before acting on agenda items relating to Mr. Walters. Mayor Goodman has stated that his attorney/client relationship with Mr. Walters ended on 12/31/91. City Attorney Brad Jerbic states, in a supplement to the Mayor's response, that he advised the Mayor in 2000 and 2005 that, since his relationship with Mr. Walters had terminated over 10 years earlier and there had been no ongoing commitments between them, the Mayor could participate in discussing and voting on matters pertaining to Mr. Walters.

There is no evidence to substantiate that the Mayor and Mr. Walters have any continuing commitments between them. In fact, the two recordings on file with the Clark County Recorder's office, referred to in the complaint, were indeed documents terminating the interest that the Mayor had in Mr. Walters' property.

In order for a violation of NRS 281.481(2) to be sustained, the evidence must establish both that the public officer (1) ***used*** his position in government and (2) that he secured<sup>2</sup> unwarranted privileges, preferences, exemptions, or advantages through this ***use***. The evidence does not establish any such use in this case.

No evidence was provided with the complaint, or uncovered during the course of the investigation, to support the allegation that Mayor Goodman used his position to either secure or grant an advantage for himself or any business in which he has a significant pecuniary interest. There is also not any evidence demonstrating that Mayor Goodman used his position to benefit any person to whom he has a commitment in a private capacity. Mayor Goodman denies the

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<sup>2</sup>Commission Opinion 04-77 (Boggs-McDonald) states the following:

"In its analysis, the Commission looked to past opinions for guidance in interpreting NRS 281.481(2). While at least one prior opinion held that a public officer who merely attempts, but does not succeed, in securing or granting an unwarranted advantage does not violate NRS 281.481(2) (see *Matter of William Barrett, CEO No. 01-08A*), several members of this Commission believe that such an interpretation would be at odds with legislative intent and that merely making an attempt to obtain an unwarranted benefit would in fact bring the activity within the parameters of NRS 281.481(2)."



allegation that he used his position to benefit his former client. There is no evidence that contradicts his assertion.

To require a public officer to disclose and abstain from every matter relating to someone that they consider to merely be a friend would deprive that public officer's constituents of his vote, as the Mayor stated in his response. In reviewing the legislative history of NRS 281.501(8), it is clear that the Legislature did not intend for the definition of "commitment in a private capacity to the interest of others" to include friendships. This is evidenced in written testimony from former Senator Thomas R.C. Wilson, who had been very involved in ethics legislation during his tenure in the Senate and who also served as Chairman of the Commission on Ethics for several years, which in part stated the following:

"The original provision "his commitment in a private capacity to the interest of others" has nothing to do with "friendship". We all have friends. Every politician does. A criteria based upon "friendship" would be so vague and undefined as to be meaningless, creating only mischief and abuse as a criteria for judgment."

"During earlier sessions, the Legislature considered at length and agonized over a suitably meaningful standard to avoid conflict. A "commitment in a private capacity to the interests of others" is much stricter than "friendship". It may involve a personal friendship, a business relationship or some other relationship which rises to the level of "commitment" to another person's interests or welfare. Such commitment refers to the strength of the relationship and means that one's independence of judgment is materially affected. Independence of judgment means a judgment which is unaffected by that "commitment"."

The Executive Director believes that no credible evidence exists to substantiate a potential violation with regard to this allegation. Accordingly, the Executive Director recommends the panel find that just and sufficient cause **DOES NOT EXIST** for the Commission to hold a hearing and render an opinion regarding whether Mayor Goodman violated the provisions of NRS 281.481(2).

***Allegation that Mayor Goodman violated NRS 281.481(2) & (6) when he opted to withhold the environmental report Ms. Wohletz refers to in the November 6, 2005 LVRJ story entitled "COUNCIL DECISION: Official: Deal will cost city. Environmental officer warns of harm to sewage treatment plant" from his fellow council members and the public as a favor (pay back) to his former law client, Mr. Walters.***

It is unclear to which environmental report the requesters are referring, since there were two reports referenced in the news article. There was an engineering report prepared by HDR Engineering and CH2MHill in July of 2005 regarding the impact of possible odors from the WPCF on future homeowners on the Royal Links land. Two versions of this report ultimately

surfaced. The first version characterized by HDR Engineering as a “first draft,” dealt with the methane gas issue and the possible costs associated with sufficient odor control; however, according to the AG report Richard Goecke directed that the report be edited to “focus more on the positive accomplishments of odor control”. Ms. Wohletz was informed that the edited version of this report would be submitted to City Council rather than the version she had reviewed. She then went to Deputy City Manager Betsy Fretwell who immediately took action to notify the City Attorney and the Mayor.

At the 7/20/05 City Council meeting, Mayor Goodman moved to continue the agenda items regarding the Royal Links land until the 8/3/05 meeting. He did so because he had learned that there was a redacted version of an earlier report, which caused him concern and he was directing staff to continue with an investigation into this matter. After the fiasco with the first engineering report(s), the City decided to hire an expert panel of engineers to carry out the dictates of the Mayor’s request at the 8/2/05 City Council meeting. Specifically, the Mayor tabled the Royal Links agenda item in order to allow the Metropolitan Police Department to further pursue the investigation regarding this first engineering report. He then requested that “...staff pursue following up on the issues raised concerning the engineering reports, including, but not limited to, flood control planning and mitigation, hazardous material planning and mitigation, expansion planning and mitigation and odor control planning and mitigation.” The ensuing expert panel report was presented to the City Council at their 11/2/05 meeting, as evidenced on the Agenda Summary Page for Agenda Item 38 from the City of Las Vegas, City Council Meeting of: 11/2/05 (refer to Tab G).

No evidence was provided with the complaint or uncovered during the course of the investigation to support the allegation that Mayor Goodman withheld any of the environmental reports.

The Executive Director believes that no credible evidence exists to substantiate a potential violation of NRS 281.481(2) and NRS 281.481(6) with regard to this allegation. Accordingly, the Executive Director recommends the panel find that just and sufficient cause **DOES NOT EXIST** for the Commission to hold a hearing and render an opinion regarding whether Mayor Goodman violated the provisions of NRS 281.481(2) and NRS 281.481(6).

***Allegation that Mayor Goodman violated NRS 281.481(5) due to the fact that he knew of possible wrongdoing by a city official (Goecke) before his controversial vote for the enrichment of his former client, Mr. Walters.***

No evidence was provided with the complaint or uncovered during the course of the investigation to support the allegation that Mayor Goodman used any information acquired through his public duties or relationships to further the pecuniary interests of himself or any other person or business entity. In fact, Mayor Goodman was not even in office when the dealings with Mr. Walters began regarding the Royal Links property. There is no evidence to support the premise that the Mayor had, or shared, any information regarding the lifting of the deed restriction with Mr. Walters that would not have otherwise been available to people generally.

The report commissioned by the Attorney General may provide evidence that someone within the city staff shared information with Mr. Walters that was not otherwise available to people in general; however, those actions took place long before the Mayor was in office. The mere fact that the Mayor may have been made aware of such wrongdoing does not violate any of the provisions of the Ethics in Government law. Additionally, it would appear from the evidence contained in the AG report, that, as soon as Mayor Goodman was made aware of any wrongdoing, he took the appropriate action to continue the items until such time as investigations could be completed.

The Executive Director believes that no credible evidence exists to substantiate a potential violation of NRS 281.481(5) with regard to this allegation. Accordingly, the Executive Director recommends that the panel find just and sufficient cause **DOES NOT EXIST** for the Commission to hold a hearing and render an opinion regarding whether Mayor Goodman violated the provisions of NRS 281.481(5).

***Allegation that Mayor Goodman violated NRS 281.501, in 1999 and 2005, when he made motions and/or voted on city council items benefiting his former criminal defense client, William T. “Billy” Walters without disclosing his past attorney/client relationship with Walters and that he failed to disclose two recordings filed with the Clark County Recorder on 3/16/1988 listing Goodman as a 2<sup>nd</sup> or 3<sup>rd</sup> party with Walters in “Substitution/Reconveyance,” and “UCC – Terminate” documents..***

In order to support this allegation, it must be determined whether or not a conflict of interest existed that would have materially affected Mayor Goodman’s independence of judgment. The evidence indicates that Mayor Goodman made a disclosure and requested advice from counsel regarding the necessity of such a disclosure in April 2000. At that time, his counsel advised him that no conflict of interest existed and, therefore, he was neither required to disclose or abstain, due to the amount of time that had passed since the termination of this relationship. Presumably following this advice from his counsel, Mayor Goodman did not deem it necessary to make further disclosures regarding his relationship with Mr. Walters when items concerning Mr. Walters appeared on the city council agendas.

As mentioned previously in this report, Mayor Goodman was under no obligation to disclose the two recordings on file with the Clark County Recorder’s office since those documents evidence the termination of a relationship rather than a continuing relationship.

In NCOE Opinion No. 01-11, regarding the Mayor of the City of North Las Vegas, the Commission opined that, since the mayor had terminated his legal interest in a limited partnership effective in 1999, he did not have any substantial and continuing business relationship, therefore, there was not a any commitment in a private capacity to his former partner in that limited partnership. The Commission found that the mayor did not violate NRS 281.501 when he did not disclose his relationship and/or voted on matters pertaining to the financial interest of his former partner. Applying this same rationale to the facts in this matter, one must conclude that Mayor Goodman does not have any commitment in a private capacity to his former client, Mr. Walters.

The Executive Director believes that no credible evidence exists to substantiate a potential violation of NRS 281.501 with regard to this allegation. Accordingly, the Executive Director recommends that the panel find just and sufficient cause **DOES NOT EXIST** for the Commission to hold a hearing and render an opinion regarding whether Mayor Goodman violated the provisions of NRS 281.501.

Prepared by: Tami E. DeVries DATED: *November 8, 2006*  
TAMI E. DEVRIES  
RESEARCH ANALYST

Approved by: Pat Hearn DATED: *November 8, 2006*  
L. PATRICK HEARN  
EXECUTIVE DIRECTOR